

**CITY COUNCIL MEETING
CITY OF WATERTOWN
September 4, 2012
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: **Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Teresa R. Macaluso
Council Member Jeffrey M. Smith
Mayor Graham**

Also Present: **Sharon Addison, City Manager
James Burrow, City Attorney**

City staff present: Amy Pastuf, Elliott Nelson, Jim Mills, Ken Mix, Kurt Hauk, Michael Sligar, Barbara Wheeler, Captain Clark, Gene Hayes, Brian Phelps, Celia Cook and Peter Keenan

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid for Replacement of Multi-media Filters at the Water Treatment Plant, Anthrafilter Filter Media
- Resolution No. 2 - Approving the Site Plan for the Construction of a 6,000 Square Foot Addition to a Medical Office Building at 1340 Washington Street, Parcels 14-21-102 and 14-21-105.
- Resolution No. 3 - Amendment to Franchise Agreement Between the City of Watertown and the 1000 Islands Privateers, LLC
- Resolution No. 4 - Approving Agreement for Flat Fee Use of Athletic Fields, Pop Warner Football League
- Resolution No. 5 - Approving Change Order No. 2 to Agreement Bat-Con, Inc. for Reconstruction of the J.B. Wise Parking Lot
- Resolution No. 6 - Finding That the Approval of an Ordinance Changing the Approved Zoning Classification of a Portion of 473 Eastern Boulevard, Parcel 5-26-103.004, from Residence B to Light Industrial Will Not Have a Significant Impact on the Environment
- Resolution No. 7 – Approving Agreement for Flat Fee Use of Athletic Fields, Sunday Touch Football
- Public Hearing Resolution - Approving a Special Use Permit Request to Operate an Automobile Detailing Business in a Neighborhood Business District at 804 State Street, Parcel 12-06-322
- Public Hearing - Ordinance Changing the Approved Zoning Classification of a Portion of 473 Eastern Boulevard, Parcel 5-26-103.004, from Residence B to Light Industrial
- Disposal of City Properties
- Fairfield Inn – Ribbon Cutting

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of August 20, 2012 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Jeffrey M. Smith and carried with all voting in favor thereof.

COMMUNICATIONS

A letter was received from Jeffrey P. Kehoe, Kehick Development, LLC in regards to a code violation at 32 Public Square.

Above communication was placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

Mayor Graham mentioned that much of the audience is present to discuss pollution concerns at and around the New York Air Brake and pointed out that there is an informational packet available for everyone's viewing. He stated that he asked City Manager Addison and staff to acquaint themselves with the issue and a meeting with Judy Drabicki, Regional Director of the Department of Environmental Conservation (DEC) was held. He added that the DEC asked that the City directs people to their website and he encouraged residents to initiate dialogue with the DEC to provide more direct one-on-one information.

Jim Barker, 149 East Division Street, addressed the chair asking how much information the DEC shares with the City. He questioned whether the test results from studies are given to the City.

Mayor Graham replied that Ms. Drabicki indicated that the remediation was completed and publicly reported on. He explained that City Council is a very interested observer but is not the holder of the information.

Mr. Barker told Council that the testing done in 2000 showed that the conditions had improved but there was still a problem originating upstream within Oily Creek where high levels of TCE still existed. He stated that the results for Oily Creek worsened from moderately impacted to severely impacted. With these results, he questioned why further remediation and follow up was not done. He is concerned that a large apartment complex is being built only 40 yards away from this creek.

Mayor Graham commented that the City looks to the DEC as the preeminent agency on matters related to chemical and industrial pollution and the City does not get directly involved in this. He stressed that the residents should initiate conversations with Ms. Drabicki and her staff. In regards to the apartment complex on the land owned by Northstar, the City made a deal to annex

the land into the City in order for them to access financing options and City utilities as well as to enhance the City's tax base.

Justin LaJoie, 920 West Street, Carthage and owns land on Haven Street stated that he has lobbied the Council Members individually and he has documentation dating back from the 1970's in regards to the contamination from the NY Airbrake. He said that he has spent approximately \$3600 of his own money to clean up his portion of the creek. He stated that he attended meetings with the developers of Creek Wood apartments showing his documentation from the 1970's through 2000 and told them that they were building on a toxic dump. He feels that he has been tossed between the City and DEC and he wants Kelsey Creek cleaned up. He also commented that he does not want to see the City get into the business of hydrofracking waste. He remarked that he does not want to take away from Mr. Sligar's expertise but stressed that accidents can happen. He asked Council Member Butler, Council Member Smith and Council Member Macaluso to change their position in regards to hydrofracking.

Robert Hunt, Flanders Road, Three Mile Bay told Council that he has fished in every creek in the area and he pleaded with Council not to hydrofrack. He explained that the fishing is not the same as it was in the past and fish are dying off. He stressed that this is on the shoulders' of the City Council.

Andy Williams, 1113 Washington Street, told Council that he grew up at 153 East Division Street and thinks the City needs to stand behind the group in asking the State for answers to their questions. He said this problem involves the whole Northside and not just Division Street, Starbuck Avenue and Hoard Street. He pointed out that it needs to be tested in order to determine how far the contamination is. He told Council that it is time to stand behind the citizens that elected them.

Mike Corbett, 729 Cleveland Street stated that he lives approximately ½ a block out of the test zone and inquired where he could go to get his house tested. He also questioned if there was a representative from the DEC present in the audience.

Mayor Graham commented that he should contact the DEC to get his house tested and that there was not a DEC representative present this evening.

Ms. Addison advised that the DEC is available for questions at their office and referred Mr. Corbett to the packet for the DEC's website information.

Mayor Graham stated that much of what is being asked requires a technical expertise that Council does not have but the City can help encourage the DEC to open up a dialogue with the group. He suggested the next step should be to request the State Assembly Members and Senators to work with the group because they have direct legislative control over these agencies. The Mayor stressed that there is not a City Hall cover-up in this matter and indicated that Council is sensitive to their concerns. He advised that he has already alerted Senator Richie of this issue and is willing to contact Assemblywoman Russell as well.

Margaret Williams, 1113 Washington Street addressed the chair expressing concern for the children and staff of the schools in the area. She asked what Council is planning on doing to ensure a safe environment there.

Mayor Graham recommended that she talk to the Watertown School Board.

Council Member Butler noted that testing was done at North Elementary and she should ask for the results of those tests. He understood that the tests results were negligible at the time.

Ms. Williams pointed out that the State minimum threshold levels have changed.

Mayor Graham asked the City Manager to contact Watertown School Superintendent Fralick and alert him that there is a level of concern relating to this issue.

Ruth Barber Bateman, 234 Rexford Place told Council that she lived at Cloverdale Apartments in the 1960's when her three children were born. She stated that all three of her children were born with birth defects and that her youngest died because of her defect. She expressed concern for the people moving into the new apartment complex.

Joanne Hughes, 1033 State Street indicated that she grew up at 139 Katherine Street and that she had a very rare form of thyroid cancer normally found in the elderly but she was only 24 years old. She explained that her sister had breast cancer and her brother had skin cancer. She stressed this cannot be genetic because no one else in her family had cancer and her brother was adopted. She mentioned that as a child she spent time in the field by Plaza Drive and wonders if that is where the contaminated waste was dumped. Now, she wonders if disturbing the land where the apartments are being built will reopen land that was contaminated. She asked if the DEC would really give them all the answers and suggested that the City have an independent study done.

Bill Wise, 431 East Hoard Street commented that his house was tested and levels were high so a radon system was installed in the cellar of his house. He indicated that this lowers the chances of him selling his house. He questions why the DEC did not test houses surrounding his since levels in his house were significant enough to require a radon system. He noted that Starbuck School is directly in front of his house.

Susan Dandrow, Fralick Road, formerly 110 East Division Street recommended Council look at the Facebook page started by Mr. Williams and Mr. Barker showing a chart of the people in the area who have been affected by cancer. She stated that Council should represent the taxpayers and protect them from more harm.

Mark Sanford, Jacobs Road addressed the chair stating that this group is basically asking for help and guidance and wants Council's support.

Mayor Graham reiterated that the City will contact the Watertown School Board and Superintendent Fralick and that he will contact the State representatives. He urged the residents

to establish dialogue with the other entities because there are some real concerns and legitimate questions to be answered.

PUBLIC HEARING

At 7:47 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Approving a Special Use Permit Request to operate an Automobile Detailing Business in a Neighborhood Business District at 804 State Street, Parcel 12-06-322

Mayor Graham declared the hearing open at 7:47 p.m.

No one spoke.

Mayor Graham declared the hearing closed at 7:47 p.m.

At 7:48 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning changing the Approved Zoning Classification of a portion of 473 Eastern Boulevard, Parcel 5-26-103.004, from Residence B to Light Industrial.

Mayor Graham declared the hearing open at 7:48 p.m.

No one spoke.

Mayor Graham declared the hearing closed at 7:48 p.m.

RESOLUTIONS

Resolution No. 1 - Accepting Bid for Replacement of Multi-media Filters at the Water Treatment Plant, Anthrafilter Filter Media

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Purchasing Department has advertised and received sealed bids for the replacement of five (5) multi-media filters at the Water Treatment Plant, per our specifications, and

WHEREAS invitations to bid were issued to Northern New York and Syracuse Builders Exchange, the Dodge Reports and The Contract Reporter, with eight (8) sets of bid specifications and plans requested by area builders with three (3) sealed bids received and publicly opened and read in the City Purchasing Department on Thursday, August 23, 2012, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the consulting Engineering Firm CRA Infrastructure and Engineering, Inc., as well as the Water

Department and Engineering Department, and it is their recommendation that the City Council accept the bid submitted by Anthrafilter Filter Media,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Anthrafilter Filter Media, as the lowest qualifying bidder for the purchase of five (5) multi-media filters at the Water Treatment Plant in the amount of \$312,750.41.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 2 - Approving the Site Plan for the Construction of a 6,000 Square Foot Addition to a Medical Office Building at 1340 Washington Street, Parcels 14-21-102 and 14-21-105

Introduced by Council Member Jeffrey M. Smith

WHEREAS Michael Lundy of LUNCO, on behalf of North Country Neurology, has made an application for site plan approval for a 6,000 square foot addition to a medical office building at 1340 Washington Street, parcels 14-21-102 and 14-21-105, and

WHEREAS said applicant has also submitted, for the same location above, an Area Variance Request to the Zoning Board Appeals to construct a 6,000 square foot building expansion for a total floor area of 9,460 square feet with only 38 parking spaces, and

WHEREAS that Area Variance was approved on August 27, 2012, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on August 7, 2012 and September 4, 2012, and at the latter meeting voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall provide a pedestrian walkway between the building entrance and the Brook Drive sidewalk.
- 2) The applicant shall provide a lighting plan with photometric data, ensuring that spillage across property lines does not exceed 0.5 foot-candles at ground level.
- 3) The applicant shall ensure to the satisfaction of the City Engineer that drainage will be contained within the swale to the west of the parking lot, and allowed to infiltrate rather than running off onto neighboring properties, prior to issuance of a Certificate of Occupancy.
- 4) The applicant shall add a note to the plans stating the following: "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."
- 5) The applicant shall remove the two dead/dying maple trees along Washington Street, and plant a new row of 5 trees in a similar configuration to that depicted on the site plan, and in general

conformance with the Landscaping and Buffer Zone Guidelines, prior to issuance of a Certificate of Occupancy.

- 6) The proposed landscaping along the entire southern and western property lines shall be supplemented with tree plantings that are in conformance with the buffer zone standards found in the Landscaping and Buffer Zone Guidelines, prior to issuance of a Certificate of Occupancy.
- 7) The applicant shall combine parcels 14-21-102 and 14-21-105 via a deed filed with the County Clerk.
- 8) The applicant shall shift the location of the proposed refuse shed so that it does not lie within 15 feet of a property line.
- 9) The applicant shall provide a wet-stamped copy of the boundary and topographic survey, with original seal and signature.
- 10) The applicant shall revise the note on sheet C101 to say, "existing curbing and concrete apron to be replaced per city spec's at abandoned driveway".
- 11) The applicant shall add a note to the plans stating the following: "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."
- 12) The applicant shall either install the sanitary manholes in the proposed swale above grade, or with watertight caps.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Michael Lundy of LUNCO, on behalf of North Country Neurology, for a 6,000 square foot addition to a medical office building at 1340 Washington Street, parcels 14-21-102 and 14-21-105, as submitted to the City Engineer on July 24, 2012, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, **Kenneth Mix**, Planning Coordinator told Council that the Planning Board recommended approval with the conditions that were in the original resolution except for #8 which has been taken out of the revised resolution. In regards to the refuse shed, he explained that the Planning Board's impression was that it was a dumpster but it is actually a North County Storage Barn shed with a trash can in it.

In response to Council Member Butler's inquiry, Mr. Mix explained that the original building parcel as well as the house that is being purchased is zoned as Limited Business.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 3 - Amendment to Franchise Agreement Between the City of Watertown and the 1000 Islands Privateers, LLC

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City and the 1000 Islands Privateers entered into a Franchise Agreement for the Privateers' use of the City Municipal Arena for the 2012-13 hockey season, by signature dated June 18, 2012, and,

WHEREAS said Franchise Agreement is effective October 1, 2012, and

WHEREAS the parties desire to amend Section IV(b) of the Agreement, Beer and Wine Sales, to reflect the parties' intention concerning the Privateers' grant of a sub-franchise for the sale of alcoholic beverages in the Municipal Arena during Privateers' hockey games,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Amendment to the Franchise Agreement between the City of Watertown and the 1000 Islands Privateers; LLC, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that Sharon Addison, City Manager, is hereby authorized and directed to execute this agreement on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, **Celia Cook**, Program Manager explained that things are moving forward and that this is a small amendment to the franchise agreement.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 4 - Approving Agreement for Flat Fee Use of Athletic Fields, Pop Warner Football League

Introduced by Council Member Jeffrey M. Smith

WHEREAS the City of Watertown owns and operates numerous athletic fields throughout the City, and

WHEREAS the Pop Warner Football league has expressed their desire to enter into an Agreement for Flat Fee Use of Athletic Fields for practice events, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facilities,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Agreement for Flat Fee Use of various City-owned Athletic Fields at between the City of Watertown and the Pop Warner Football League, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 5 - Approving Change Order No. 2 to Agreement Bat-Con, Inc. for Reconstruction of the J.B. Wise Parking Lot

Introduced by Council Member Roxanne M. Burns

WHEREAS on October 4, 2010, the City Council of the City of Watertown approved a bid submitted by Bat-Con, Inc. of Marcellus, New York, in the amount of \$2,316,240 for the reconstruction of the J.B. Wise Parking Lot, and

WHEREAS on July 18, 2011, City Council approved Change Order No.1 to the Agreement in the amount of \$92,235.00, and

WHEREAS City Engineer Kurt W. Hauk has submitted the Change Order No. 2 to that contract for consideration by the City Council, and

WHEREAS Change Order No. 2 results in an additional charge of \$38,162.37, bringing the final contract amount to \$2,450,637.37,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown

approves Change Order No. 2 to the contract with Bat-Con, Inc., for the reconstruction of the J.B. Wise Parking Lot, in the amount of \$38,162.37, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 6 - Finding That the Approval of an Ordinance Changing the Approved Zoning Classification of a Portion of 473 Eastern Boulevard, Parcel 5-26-103.004, from Residence B to Light Industrial Will Not Have a Significant Impact on the Environment

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance changing the approved zoning classification of 473 Eastern Boulevard, parcel 5-26-103.004, from Residence B to Light Industrial, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed Ordinance would constitute such an “Action,” and

WHEREAS the City Council has determined that re-zoning this property is an Unlisted Action as that term is defined by 6NYCRR Section 617.2, and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant impact on the environment, Part I of a Short Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zone change will not have a significant impact on the environment.
2. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This Resolution shall take effect immediately.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Council Member Smith asked if this zone change would leave the corner lot where Jeans Beans is located as a spot zone.

Mr. Mix explained that the old Racquetball Club was actually split zoned and that the City notified Stebins of this once it became aware that Stebins was purchasing this parcel. He further explained that the map included in the report for the corresponding ordinance is a land use plan and not a zoning map. He noted that the zone change does not affect the Jeans Beans property because they are not connected.

Attorney Burrows advised that spot zoning focuses on the rezoning of a particular parcel without regard to the comprehensive plan of the municipality. He advised that this particular action does not raise any legal infirmities at this point.

Council Member Butler asked how long this was light industry.

Mr. Mix responded that it has been for decades and that the parcel in question was probably a leftover piece of the greater Residence B property behind it.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 7 – Approving Agreement for Flat Fee Use of Athletic Fields, Sunday Touch Football

Introduced by Council Member Roxanne M. Burns

WHEREAS on August 20, 2012, the City Council approved an Agreement for Flat Fee Use of Athletic Fields between the City of Watertown and the Sunday Touch Football League in the amount of \$800, and

WHEREAS that amount has been amended to \$700 as the correct amount, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facilities,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Agreement for Flat Fee Use of Athletic Fields between the City of Watertown and the Sunday Touch Football League, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Rules waived by Motion of Council Member Joseph M. Butler, Jr., seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

The Resolution “Approving a Special Use Permit Request to operate an Automobile Detailing Business in a Neighborhood Business District at 804 State Street, Parcel 12-06-322” (Introduced on 8/20/12; public hearing held this evening; appears in its entirety on page 221 of the 2012 Minutes Book).

Prior to the vote on the foregoing resolution, Mayor Graham noted that the property has been paved and progress is being made.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

ORDINANCES

The Ordinance “Changing the Approved Zoning Classification of a portion of 473 Eastern Boulevard, Parcel 5-26-103.004, from Residence B to Light Industrial.” (Introduced on 8/20/2012; public hearing held this evening; appears in its entirety on page 222 of the 2012 Minutes Book).

At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.

DISCUSSIONS

Disposal of City Properties

Mayor Graham referred to the pictures included in the packet and staff’s recommendation of demolishing 606 Factory Street and 123 Lynde Street East.

Council Member Smith recommended putting 606 Factory Street in the auction unless there are structure issues.

Mayor Graham mentioned that the building immediately to the right of it is for sale.

Kurt Hauk, said there were not any imminent structure issues that would cause it to collapse but with the overall condition of the building, it is unlikely that someone would want to put the amount of money into it to make it viable.

Council Member Butler asked when it would be demolished if it was approved.

Mr. Hauk replied that he is unsure of the timeline but the approval would be the start of that process.

Council Member Butler suggested it be put in the auction first and see if someone wants to try to rehab it.

Mayor Graham pointed out that the property next door that is privately owned would have a more viable sale if this building was out of the way.

James Mills, City Comptroller suggested that one option is to include it in the resolution for the auction but also get move information from Code Enforcement Superintendent McWayne. He advised that the resolution can be amended if Council then agrees to demolish it.

Council agreed to include 606 Factory Street in the resolution and demolish 123 Lynde Street East.

Mayor Graham asked for Mr. McWayne to give a report at an upcoming meeting.

In regards to the NDC Rehabilitation Program, Mayor Graham states that Mr. Beasley respects that fact that Council would like to test the waters to see if there is private sector development. He mentioned that holding one out might elicit controversy but asked if there is an interest in any particular properties.

Mr. Mix said that there was an interest shown and they have the list of properties to review but evaluations will not be done unless Council is agreeable to pursuing the project.

Council Member Butler noted that Neighbors of Watertown has a good track record and the end product is always good. He mentioned that the risk of an auction is that the City may not get a lot of money and there is an uncertainty with the outcome. He would like to see which properties Neighbors of Watertown is interested in and then send the rest to auction.

Mayor Graham stated that there is more clarity achieved through an auction and does not want to delay this because winter is coming. He reminded Council that the auction offsets the cost of the demolition of 123 Lynde Street East.

Council Member Macaluso agreed that there is a system in place and Council has to follow that system so she would like to proceed with the auction then Neighbors of Watertown can look at what is left over.

Council Member Smith noted that in the past Neighbors of Watertown would pick which houses they think are capable and financially feasible for rehab. He favors NDC because many of these properties are blight in the neighborhood and the end product with Neighbors will help clean up these neighborhoods. He would like Neighbors of Watertown to select which ones they are interested in prior to the completion of a resolution.

Council Member Burns stated that she is willing to send the properties to auction and if there is no private sector interest then approach Neighbors of Watertown.

Council Member Butler agreed that consistency is important but mentioned that there have been exceptions in the past. He said that Council needs to look at what is best for the City in the long-term and that the assessed value of a property redeveloped through Neighbors of Watertown is going to be higher.

Council Member Macaluso commented that she loves the work that Neighbors of Watertown does but reiterated her thoughts that the auction should be done first and any leftovers houses can then go to them.

Council Member Smith requested Neighbors of Watertown submit a list of the properties that they are interested in and reminded Council that it takes a 4/5ths vote in order to sell any property.

Council Member Burns agreed with Council Member Macaluso and read from Mr. Mills' memo highlighting that these are some of the best properties that the City has taken for taxes. She also noted that Neighbors of Watertown's mission is to take over properties that are not feasible for other individuals.

Council concurred that the resolution will include everything for auction except 123 Lynde Street East.

Fairfield Inn – Ribbon Cutting

Mayor Graham reminded Council that there is a ribbon cutting at the Fairfield Inn.

Salvation Army Commander

Mayor Graham mentioned that he is hosting a visit to City Hall at 2:00 p.m. on Wednesday, September 5th for the new commander of the Salvation Army.

Front Yard Parking

Council Member Macaluso remarked that she is asking the City Manager to review front yard parking because she was approached by a constituent with some compelling arguments. She would like this issue revisited.

Huntington Street Rightway

Council Member Smith stated that he received a call from Mr. Maitland over concerns for a right of way property on Huntington Street.

Council Member Burns said that she has some information regarding this and suggested that it be discussed more at the next meeting.

Hydrofracking

Council Member Smith pointed out that the City only accepted a certain amount and it was heavily monitored. He stated the results of the monitoring showed that the hydrofracking waste was less toxic than what is in the sewer system.

Mike Sligar, Water Superintendent indicated that the Sewage Treatment Plant proved that hydrofracking had no impact on the sewage treatment plant processes or the Black River which is the receiving stream. He stated that it was a one-time permit for a one-time application of 36,000 gallons and noted that the City has not accepted any water of that nature since that point. He said that they tested after the fact to prove beyond any reasonable doubt that there was no impact to the plant or the river.

Department Heads Attendance

Council Member Smith remarked that he appreciates the department heads attending the Council meetings because it makes a difference to hear what the public says so that Council can get answers immediately and for them to understand what the Council is discussing.

Regional Council Meeting

Mayor Graham stated that Ms. Addison will be attending this Friday's Regional Council Meeting in his absence.

Fee Schedule at the Fairgrounds

Mayor Graham informed Council that there was an issue with the fee structure at the Fairgrounds and is glad that staff is dealing with these idiosyncrasies instead of waiving fees on an ad hoc basis. He said it is important to inform Council if the fees need to be changed because the Code has to be followed. He said the issue is that people who rent the arena are required to pay 10% of the food revenue and he thought this was deleted when the City stopped charging a percentage of the alcohol sales. He suggested that a better way may be to charge a flat fee and the current ordinance could be repealed.

Ms. Addison informed Council that this fee was not in the Code but was derived from the agreement form. She advised that the form be revised. In addition, she said there are a lot of inconsistencies that staff is trying to overcome.

Mayor Graham said that if the intent is to charge a flat fee for the food concession it should be put into the Code. He added that this will circumvent any problems with this particular event.

Black River Fall Fest

Ms. Addison reminded Council that the Black River Fall Fest is this Saturday from 10:00 a.m. to 5:00 p.m.

Cooper Street Resident Lawler's Garage

Mayor Graham asked staff to continue to work with Ms. Lawler regarding the placement of a new garage.

Mr. Mix replied that the zoning ordinance requires all accessory buildings to be in the rear yards only and she wants it in the side yard. He indicated that staff does not know why these are not allowed in the side yards but this should be considered because it is a problem quite often. In regards to changing the ordinance, Mr. Mix stated he would support that because a detached garage or shed could be allowed in a side yard without a lot of impact on the neighborhood. He pointed out that it would still need to meet setback requirements and fire code separation requirements.

Discussion centered on how this zoning ordinance can be changed and Mayor Graham suggested staff meet with Ms. Lawler to see if her situation would be affected if the ordinance was changed.

DANC Landfill Open House

Mayor Graham mentioned that there is an open house scheduled for September 15th. He also wanted Council to know that there has been discussion to discontinue source separation recycling.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:43 p.m. by motion of Council Member Butler, seconded by Council Member Macaluso and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk